

**THE HONOURABLE SRI JUSTICE
V.ESWARAIAH**

W.P. No. 25186 of 2007

Date:27-11-2007

Between:

Paranda Ramaiah and another

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Petitioners

AND

The District Collector, Ranga Reddy and two others

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Respondents

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ORDER:

The petitioners seek a writ of mandamus to declare the impugned order vide proceedings N.C.447/2002, dated 29.01.2007 of the 2nd respondent, as illegal and arbitrary and consequently restore the land assigned to late Paranda Achaiah (now sub-divided as Sy.No.44/2 & 44/4) admeasuring Ac.4.25 guntas and Ac.7.16 guntas respectively situated at Munuganoor village, Hayathnagar mandal, Ranga Reddy District to the petitioners being the legal heirs of the original assignee.

It is the case of the petitioners that they are the sons of late Paranda Achaiah and the said late Achaiah was assigned with land of an extent of Ac.12.00 guntas in Sy.No.44 of Munuganoor village, Hayathnagar mandal, Ranga Reddy District under Laoni patta. It is stated that one Laxmaiah was also assigned with Ac.10.00 guntas of land in the said Sy.No.44 and the said survey number was later sub-divided into 44/1, 44/2, 44/3, and 44/4 and the original assignees did not alienate the said lands. However, their uncle who obtained their signatures appears to have been misused the same and in the meanwhile the second respondent/Tahsildar after issuing notice, resumed the said lands by proceedings N.C./447/2002, dated 29.01.2007 on the ground that land an extent of Ac.5.20 guntas in Sy.No.44/1 situated at Munuganoor village was assigned in favour of Achaiah, the father of the petitioners for agricultural purpose, but the said Achaiah changed the said land into non-agricultural purpose and converted into plots and sold away in favour of some others violating

the provisions of sub-sections (1) and (2) of Section 3 of the A.P. Assigned Lands (Prohibition of Transfers) Act (for short 'the Act').

Admittedly, an appeal lies against the impugned order under Section 4A(1) of the Act. Therefore, I am not inclined to admit the writ petition and it is liable to be dismissed.

Accordingly, the writ petition is dismissed with liberty to file an appeal before the appropriate authority. There shall be no order as to costs.

V.ESWARAIAH, J.

Date:27.11.2007

ccm